

MINUTES

Blowing Rock Board of Commissioners

Tuesday, November 12, 2002

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, November 12, 2002 at 7:00 p.m. Present were Mayor J. B. Lawrence, Barbara Ball, Terry Lentz, Keith Tester, Rita Wiseman, and David Wray. Also present were Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Town Clerk Barbara Beach. Other staff members attending were Director of Public Works Johnny Lentz, Police Chief Owen Tolbert, Planning Director Kevin Rothrock, Building Inspector John Warren, Recreation Director Kim Oberle, and Bill Pitts, Recycling Director.

Call to Order and Approval of Minutes

Mayor Lawrence called the meeting to order. Ms. Wiseman moved that the minutes of the meetings held on October 8, October 22, and November 6 are approved as presented. Mrs. Ball seconded the motion, and Council unanimously approved it.

Presentation of Audit for FY 2001-2002

Mayor Lawrence introduced Mrs. Robin Isaacs, CPA, of the firm Billy G. Combs, CPA. Mrs. Isaacs reviewed the audit for the fiscal year 2001-2002. She commended the Town staff for the good order and tight controls of the financial records, and remarked that the tax collection rate of 98.79% is one of the highest in the state.

PUBLIC HEARINGS

1. Draft Ordinance to Increase Civil Penalties

Mayor Lawrence opened a public hearing continued from the October meeting concerning an increase of civil penalties for violations of the Town Code. Council members reviewed a proposed schedule presented by Planning Director Kevin Rothrock. Mr. Tester recommended that the penalty for a second violation be two and one half times the initial penalty. Mr. Lentz suggested that the penalty for parking more than four vehicles at a residence be deleted since it is not uncommon for a household to possess four or more vehicles. Mrs. Ball inquired whether real estate agents could be fined in addition to the property owner for short-term rental violations of the Code. Mr. Moseley replied that if Council desires to charge this penalty, Planning Staff should research and present a draft amendment to the ordinance. Mrs. Ball asked that the Planning Staff respond quickly when a complaint is lodged about a short-term rental violation. Mr. Rothrock reviewed the timetable for response to a complaint, and emphasized that staff needs specific information concerning dates, times, and duration of the alleged infraction so that an investigation can be made. Ms. Wiseman moved that the public hearing be closed. Mrs. Ball seconded the motion, and it was unanimously approved.

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Mr. Tester made motion that the draft schedule of civil penalties be approved as presented with the following changes: 1) the penalty for a second violation be two and one half times the initial penalty, and 2) delete the penalty for parking more than four vehicles at a residence. Ms. Wiseman seconded the motion, and it was unanimously ratified.

2. CUP # 2002-07 - Alpine Village Inn

Kevin Rothrock presented a request from Alpine Village Inn for approval of a major amendment to add 500 square feet with a second floor addition to the inn located at 297 Sunset Drive. Mayor Lawrence opened a public hearing to hear testimony concerning the request, and Rob Valet was sworn to speak on behalf of Rudy Cutrera. Council requested that Mr. Valet review the total number of rental rooms so that Mr. Rothrock can ascertain the number of parking spaces needed to conform to Code. Upon review, Mr. Rothrock determined that an additional space is required. In addition, Mr. Lentz suggested that the plans submitted to the Town must be changed to show a sitting room/bedroom. Ms. Wiseman moved that the public hearing be closed, and Mrs. Ball seconded the motion. All members voted in favor of the motion.

Mr. Wray made motion that the request for a major amendment to the conditional use permit be approved as presented, with the addition of a requirement of 19 parking spaces, of which one must be designated as a handicapped space. Mrs. Ball seconded the motion. Mr. Lentz requested an amendment to the motion to require the change in the plans by the architect and the owner to designate a bedroom. Both Mr. Wray and Mrs. Ball agreed to the amendment, and the vote was called. All members voted in favor of the motion.

CUP # 2002-07 Attached as Exhibit B

3. CUP # 2002-08 – Ragged Garden Inn

Mr. Lee Hyett was sworn in to present testimony for his request for a major amendment to the existing conditional use permit to construct a roof to cover the existing front porch to expand seating at the bed and breakfast restaurant. Mr. Lentz inquired about the hours of operation for the restaurant. Mr. Hyett replied that they would serve from 5:30 p.m. to 9:00 p.m. There was no further comment or questions, and Mayor Lawrence closed the public hearing.

Upon motion of Mr. Tester, seconded by Mrs. Ball, Council voted unanimously to approve the major amendment as requested.

CUP # 2002-08 Attached as Exhibit C

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4. CUP # 2002-09 Boxwood Lodge

Mr. Phil Pickett was sworn to request a conditional use permit to add a 680 square foot apartment unit under the deck of the main lodge located at 671 North Main Street. The deck was existing prior to the fire in the spring of 2002. The apartment unit will be constructed for the use of Mrs. Pickett's parents, but Mr. Pickett explained that it may also be used as a rental space. Upon motion of Mr. Lentz, second by Mr. Tester, the public hearing was closed. Ms. Wiseman then made a motion that the request be approved as drafted. Mr. Wray seconded the motion, and it was unanimously ratified.

OLD BUSINESS

1. Extension of Cable Contract with Charter Media

Council reviewed a recommendation by Mr. Moseley and Mrs. Beach that Council approve an extension of the current cable contract with Charter Media to June 30, 2003. Mrs. Beach explained that this extension will allow time to review FCC regulations and completed contracts for other cities in the area. Mr. Lentz made motion that Council approve the recommendation, and Mrs. Ball seconded the motion. All members voted in favor of the extension.

2. Report on Recycling Department

Mr. Wray submitted a report to the Council from the Recycling Study Committee. The Committee recommends that the Recycling Department be retained as a viable Town department for the remaining six months of the fiscal year. Mr. Wray reviewed costs and projected revenue, commenting that additional revenue can be obtained by taking the recyclables directly to the end user. The report charted the increase in recyclables and the waste reduction rate attributed to the increase in recycling in the Town.

Mr. Lentz commented that he does not believe that homeowners should pay for the cost of recycling for the business community. Mr. Tester expressed appreciation to the members of the committee for a good analysis of the process, and suggested the next step is to allocate the cost of recycling back to the businesses. Upon motion of Ms. Wiseman, second by Mrs. Ball, Council voted unanimously to table action on the report to the December 10 meeting.

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NEW BUSINESS

1. Proclamation for Watauga Education Foundation

Upon motion of Mr. Lentz, second by Mr. Tester, Council voted unanimously to endorse a proclamation to declare November as Watauga Education Foundation Awareness Month.

Proclamation Attached as Exhibit E

2. Declaration of Fire Truck as Surplus Property

Fire Chief Marc Hickman was present to request Council declare the old ladder truck surplus property so it can be auctioned. Council inquired whether the truck body could be used in the Public Works department. Johnny Lentz replied that he would be able to utilize it in some form. Council members agreed by consensus to dispose of the truck, either by bid or by transferring it to another department.

1. Cell Phone Usage Policy

Mrs. Beach requested that Council discuss employee use of Town owned cell phones, suggesting that Council establish a policy to reduce this expense to the Town. Mayor Lawrence asked employees present at the meeting for a show of hands if they carry a Town cell phone. Council discussed the necessity of utilizing cell phones when pagers and radios are available. Ms. Wiseman made motion that Mrs. Beach research various types of cell phone plans, declare a moratorium on adding new phone contracts, and investigate the consolidation of existing contracts into one shared minutes plan. Mrs. Ball seconded the motion, and it was unanimously approved.

4. Report from Town Engineer – Status of Major Projects

Marion Rothrock reviewed his report of recent activity on major project work. He reported that he had been able to negotiate a price of \$85,000 for a building to house an emergency generator for the water plant. He expects two quotes for the electrical work in the next week. Also, he believes the Town's request for the conversion of Green Hill Road to a town street to be on the November agenda of the Board of Transportation. In regard to the installation of streetlights on the North Main sidewalk, he expects BREMCO will provide the labor for the project. The only exception is the expense of \$500 to the Town to bore the street.

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Closed Session

Mayor Lawrence announced the end of the regular agenda, and declared Council would convene in closed session by authority of NCGS 143-318.11(5) to discuss acquisition of real property. At the conclusion of the discussion, there was no further business, and Mayor Lawrence adjourned the meeting at 10:05 p.m.

J. B. Lawrence,
Mayor

Barbara G. Beach, Town Clerk